

Tasks/Functions Performed by SWCDs

CHARGE	AUTHORITY
Nonpoint Source (NPS) Pollution Responsibilities	§ 10.1-104.1.B [The Department shall be assisted in performing its nonpoint source pollution management responsibilities by Virginia's soil and water conservation districts...]
Installation of Agricultural Best Management Practices	§ 10.1-546.1. Delivery of Agricultural Best Management Practices Cost-Share Assistance Program. [Districts shall locally deliver the Commonwealth's Agricultural Best Management Practices Cost-Share Assistance Program, under the direction of the Department]
Dam Safety (affects 12 SWCDs)	Contractual agreement with USDA NRCS USDA/SWCD Operation & Maintenance Agreements (O&M) for 103 Flood Control Structures
Agricultural Stewardship Act	§ 10.1-559.3. Complaint; investigation; agricultural stewardship plan. A. After April 1, 1997, upon receiving a complaint, unless the complaint was made anonymously, the Commissioner shall request that the directors of the district in which the land lies determine the validity of the information within twenty-one days. The Commissioner may investigate or ask the directors of the district to investigate an anonymous complaint.
Erosion and Sediment (E&S) Responsibilities	§ 10.1-561 State erosion and sediment control program (enables localities to establish local programs, SWCDs may be specified to perform certain local program functions)
Duties of District Directors	§ 10.1-529.1 Duties of district directors Clarifies functions SWCD directors are expected to fulfill as locally elected/appointed officials serving as members of a SWCD board of directors.

<p>Other tasks such as SWCD board approval for conservation plans, nutrient management plans, etc.</p>	<p>§ 58.1-439.5. Agricultural best management practices tax credit.</p> <p>A. For all taxable years beginning on and after January 1, 1998, any corporation engaged in agricultural production for market who has in place a soil conservation plan approved by the local Soil and Water Conservation District (SWCD)</p> <p>§ 10.1-2100. Cooperative state-local program (pertains to Tidewater localities required to comply with Chesapeake Bay Preservation Act Code and regulations) Section 9VAC 10-20-120.9.c of the Regulations requires that findings and recommendations of such assessments and any resulting soil and water quality conservation plans will be submitted to the local Soil and Water Conservation District Board, which will be the plan-approving authority</p> <p>§ 58.1-436. Tax credit for purchase of advanced technology pesticide and fertilizer application equipment.</p> <p>A. Any corporation engaged in agricultural production for market which has in place a nutrient management plan approved by the local Soil and Water Conservation District</p>
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Other SWCD empowerments/authorities:

- § 10.1-539. Surveys and dissemination of information. (“authorized”)
- § 10.1-540. Demonstrational projects. (“authorized”)
- § 10.1-541. Preventive and control measures. (“authorized” for water management)
- § 10.1-542. Financial aid to agencies and occupiers. (“authorized”)
- § 10.1-543. Acquisition, improvement and disposition of property. (“authorized”)
- § 10.1-544. Making material and equipment available (“authorized”)
- § 10.1-545. Construction, improvement, operation and maintenance of structures (“authorized”)
- § 10.1-547. Acquisition and administration of projects; acting as agent for United States, etc.; acceptance of gifts. (...the following additional authority)
- § 10.1-548. Contracts; rules (“authorized”)
- § 10.1-549.1. Virginia Envirothon (“authorized”)
- § 10.1-552. Renting machinery and equipment. (“authorized”)
- § 10.1-614. Establishment within soil and water conservation district authorized. (watershed improvement district establishment)

§ 10.1-104.1. Department to be lead agency for nonpoint source pollution program.

A. The Department, with the advice of the Board of Conservation and Recreation and the Virginia Soil and Water Conservation Board and in cooperation with other agencies, organizations, and the public as appropriate, shall have the lead responsibility for the Commonwealth's nonpoint source pollution management program. This responsibility includes coordination of the nonpoint source control elements of programs developed pursuant to certain state and federal laws including § 319 of the Clean Water Act and § 6217 of the Coastal Zone Management Act. Further responsibilities include, but are not limited to, the distribution of assigned funds, the identification and establishment of priorities of nonpoint source related water quality problems, and the administration of the Statewide Nonpoint Source Advisory Committee.

B. The Department shall be assisted in performing its nonpoint source pollution management responsibilities by Virginia's soil and water conservation districts. Assistance by the soil and water conservation districts in the delivery of local programs and services may include (i) the provision of technical assistance to advance adoption of conservation management services, (ii) delivery of educational initiatives targeted at youth and adult groups to further awareness and understanding of water quality issues and solutions, and (iii) promotion of incentives to encourage voluntary actions by landowners and land managers in order to minimize nonpoint source pollution contributions to state waters.

The provisions of this section shall not limit the powers and duties of other state agencies.

(1993, cc. 19, 830; 2004, c. 474.)

§ 10.1-546.1. Delivery of Agricultural Best Management Practices Cost-Share Assistance Program.

Districts shall locally deliver the Commonwealth's Agricultural Best Management Practices Cost-Share Assistance Program, under the direction of the Department, as a means of promoting voluntary adoption of conservation management practices by farmers and land managers in support of the Department's nonpoint source pollution management program.

(2004, c. 474.)

§ 10.1-529.1. Duties of district directors.

In addition to other duties and powers, district directors shall:

1. Identify soil and water issues and opportunities within the district or related to the district and establish priorities for addressing these issues;
2. Seek a comprehensive understanding of the complex issues that impact soil and water, and assist in resolving the identified issues at the watershed, local, regional, state, and national levels;
3. Engage in actions that will improve soil and water stewardship by use of locally led programs;
4. Increase understanding among community leaders, including elected officials and others, of their role in soil and water quality protection and improvement;
5. Foster discussion and advancement within the community of positions and programs by their district;
6. Actively participate in the activities of the district and ensure district resources are used effectively and managed wisely; and
7. Support and promote the advancement of districts and their capabilities.

(2005, c. 73.)